
(2012) 08 P&H CK 0151
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 15824 of 2012

Smt.Brijinder Kaur

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 17-08-2012

Acts Referred:

Citation : (2012) 08 P&H CK 0151

Hon'ble Judges : Surya Kant, J;R.P. Nagrath, J

Bench : Division Bench

Advocate : G.P.S. Bal, for the Appellant;

Judgement

Surya Kant, J.—The grievance of the petitioner in this writ petition is against fixation of allotment rate of Rs.35,000/-per square yard in respect of residential plot No. 1421, Sector 68, Urban Estate, Mohali, which according to the petitioner, should have been allotted to her @ Rs.1400/-per square yard. The above stated plot has been allotted to the petitioner vide allotment letter dated 27.3.2012 (Annexure P-2) wherein it is clearly mentioned that the said allotment is with reference to her application dated 28.12.1983. The petitioner's case appears to be that she was allotted the residential plot No. 3053 in Sector 69, Mohali, measuring 500 square yards, in the year 1994 pursuant to the above-stated application of the year 1983, but the formal allotment and possession thereof could not be given due to pending litigation. The petitioner has now been offered a plot measuring 485 square yards but at the current rate of Rs.35,000/-per square yard. The petitioner relies upon some decisions of this Court including dated 16.7.1999 passed in CWP No. 9492 of 1999 (Sh.Raminder Singh Nibber versus The State of Punjab and another) to contend that the respondents cannot charge the price of the residential plot at the current rate and she is entitled to allotment at the old rate.

2. We find from the record that the above-stated contention has been raised by the petitioner before the respondent-Authority vide a legal notice dated 29.5.2012 (Annexure P-3) also. In these circumstances, we deem it appropriate

to dispose of this writ petition with a direction to respondent Nos.2 & 3 to consider the petitioner's claim as contained in the above-mentioned legal notice, in the light of the decisions of this Court relied upon by her and dispose of her claim by passing a speaking order within a period of three months from the date of receiving a certified copy of this order.

Ordered accordingly.